

## REMARKS

Reconsideration of the application is respectfully requested for the following reasons:

1. Rejection of Claims 34-37 Under 35 USC §112, 2nd Paragraph

This rejection has been addressed by amending claim 34 to positively recite the “processing limitations” referred to in line 12.

2. Rejections of Claims 1-16, 18-32, and 34-50 Under 35 USC §102(e) and of Claims 17 and 33 Under 35 USC §103(a) in view of U.S. Patent No. 6,442,600 (Anderson)

This rejection is respectfully traversed on the grounds that the Anderson patent does not disclose the feature, now more positively recited in each of the independent claims, wherein a viewer applet installed on the recipient’s computer prevents decryption of a message unless message handling limitations that are set by the message originator (sender) are implemented. In the system disclosed in the Anderson patent, all message handling instructions are provided by the recipient, who has the option of viewing, saving, decrypting, and so forth a message without reference to the wishes of the message originator.

For example, according to the claimed invention, the message originator might set an expiration date for the message, in which case the viewer applet will prevent the message from being viewed by the recipient after the expiration date. The reason that the recipient cannot view the message after the expiration date is that the message is encrypted, and can only be decrypted and viewed using the “viewer applet.” If the viewer applet is set to prevent decryption of the message after the expiration date, then the message simply cannot be viewed. Similarly, if the message originator wishes to limit printing of the message, then the viewer applet can be set to prevent printing of the message. If the recipient attempts to print the message without using the viewer applet, the result will be printing of an unencrypted message.

Of course it might be possible for a sophisticated recipient to try to decrypt the message by means other than the viewer applet. However, according to a further feature of the invention, positively recited in claims 2, 19, 34, 38, and 42, the message is kept on a central server and streamed to the viewer applet, so that the recipient never has access to the entire message file, even in encrypted form. This further limits recipient access to the message, and enables certain controls to be implemented at the central server level rather than by execution of instructions on the recipient's computer, thereby providing a further degree of control or security.

In contrast, Anderson provides a means for enabling **recipients** to better control message viewing. In particular, the Anderson patent discloses a system that notifies a **recipient** that a message is available, and then gives the **recipient** the option of viewing, encrypting, saving, and/or deleting the message. No provision is made for the implementation of controls by an **originator** of the message.

The purpose of the system of Anderson is to save **recipients** the trouble of storing, managing, and protecting received messages, as explained in col. 1, lines 20-29 and in particular in col. 1, lines 65 *et seq.* of the Anderson patent.

*Some embodiments of the present invention provide a method and system for distributing electronic messages in an efficient manner using centralized storage and management. In particular, the system receives electronic messages to be distributed to one or more recipients, centrally stores a single copy of the message as well as various information about sending the message, and sends to each recipient a short indicator message to notify the recipient that the electronic message is available. The system then tracks and manages requests from the recipients to access the message by permitting access when appropriate, performing activities such as decrypting/encrypting the message if necessary, recording information about the access and about recipient instructions related to the message, archiving the message if necessary, and deleting the message when it is no longer needed. The recipient can also provide various instructions about actions to be taken with the message corresponding to an indicator, such as to save or delete the message or to forward the message to another recipient. In one embodiment, after all recipients have reviewed the message and no*

*recipient has currently indicated to save the message (or all have indicated to delete the message), the system then deletes the single copy of the message).*

Nowhere does this passage disclose or suggest that tracking and management of messages is in response to controls selected by the **originator** or **sender** of the message. To the contrary, Anderson is only concerned with management of messages by **recipients**, based on instructions by the recipients.

To implement the system of Anderson, there is no need for a special “viewer applet” that limits message access by the recipient. The only encryption provided for is encryption at the request of the recipient to limit viewing by third parties. There are no limits on viewing of the message by the recipient, much less limitations that are selected by the message originator or sender.

It is true that the present invention and the system of Anderson share a central server that manages message distribution. However, the purposes of the central servers of Anderson and the claimed invention are fundamentally different. The central server of the claimed invention controls message distribution by limiting access to the messages. The central server of Anderson controls message distribution based on instructions from recipients, for the convenience of the recipients. The wishes of the sender are completely irrelevant to and not solicited by the central server of Anderson.

Because the Anderson does not disclose or suggest an electronic mail system that implements controls selected by the **originator** of the message rather than intended **recipients**, using a viewer applet installed on the recipient’s computer to implement the originator-selected controls by preventing decryption of the message unless the controls are implemented, it is respectfully submitted that the rejections of claims 1-50 based on 35 USC§102(e) and 103(a) are improper and should be withdrawn.

**Serial Number 09/390,363**

Having thus overcome each of the rejections made in the Official Action, expedited passage of the application to issue is requested.

Respectfully submitted,

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